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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/020,543

11/30/2001

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83664AEK

9166

7590

09/30/2004

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EXAMINER

QI, ZHI QIANG

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/020,543

**Applicant(s)**

MI ET AL.

**Examiner**

Mike Qi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,6-9 and 11-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-9 and 11-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/23/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 23, 2004 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant admitted prior art (AAPA) in view of US 6,081,312 (Aminaka et al), US 2004/0051832 A1 (Shimoshikiryoh) and US 5,747,121 (Okazaki et al).

Claim 1, AAPA discloses (page 1, line 11 – page 4, line 10; Fig.4A) a vertical-aligned liquid crystal display (an imaging component) comprising:

- a vertically aligned nematic liquid crystal cell (14);
- a polarizer (18 or 12) disposed on each side of the vertical aligned liquid crystal cell (14), the polarizers (18 and 12) having polarization axes

- orthogonally crossed with respect to each other in a direction normal to the cell surface;
- a compensation film (27) disposed between the liquid crystal cell (14) and a polarizer (18).

AAPA does not expressly disclose that the compensation film comprises a first positive birefringent material disposed on a base film having negative optical anisotropy with an axis along the normal of the substrate and a second positive birefringent material disposed on the first positive birefringent material, and each of the positive birefringent materials oriented with their optic axis tilted in planes perpendicular to the liquid crystal cell surface.

However, Aminaka discloses (col.7, line 14 – col.8, line 31; Fig.5-8) that the optical compensatory sheet in Fig.7 comprises optical anisotropic layer (73), and each of the molecules has one plane (Pa, Pb, Pc) which inclined with respect to the planes (71a, 71b, 71c), i.e., tilted in planes perpendicular to the liquid crystal cell surface.

Aminaka indicates (col.8, lines 24-31) that an optical compensatory sheet has a function of improving the viewing angle and the inclined angle changed (tilted) so that the optical compensatory sheet has a function of preventing an image reversion, gray-scale inversion and color contamination of a displayed image.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a compensation film combined with a vertical alignment liquid crystal cell so as to tilt the molecules as claimed for improving the viewing angle

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and preventing image from reversion, gray-scale inversion and color contamination of a displayed image.

Still lacking limitation is such that the compensation film having a first positive birefringent material and a second positive birefringent material disposed on the first positive birefringent material.

However, Shimoshikiryoh discloses (paragraph 0134-0135; Fig.4) that the phase difference compensator (102) (as a second birefringent material) and the phase different compensator (104) (as a first birefringent material), so that is a second birefringent material dispose on a first birefringent material, and the phase difference compensator (102) typically has a positive uniaxial refractive index anisotropy, and the phase difference compensator (104) typically has a biaxial refractive index anisotropy, that means the birefringent also can be positive birefringent material. Shimoshikiryoh indicates (paragraph 0135) that using such compensation provides a display with desirable viewing angle characteristics.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a compensation film comprises two positive birefringent material as claimed for achieving a desirable viewing angle characteristics.

Still lacking limitation is such that the first positive birefringent material disposed on a base film.

However, Okazaki discloses (col.2, lines 12 – 41) that it is known that the optical compensatory sheet is needed to have negative birefringence for compensating positive birefringence of the twisted nematic liquid crystal and an inclined optic axis. Such that

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the compensation film is needed to have a positive birefringence for compensating the negative optical anisotropy with an axis along the normal of the substrate, and that would have been at least obvious variation. Okazaki also discloses (col.2, lines 27 – 41) that it also is known the optical compensatory sheet for LCD is prepared on a support film (base film) to support the compensation film.

Since the compensation film must have a base film to support the compensation film and the positive birefringent material must compensate the negative optical anisotropy material so that to enlarge the viewing angle of the display.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a compensation film as claimed in claim 1 for improving the viewing angle of the display and preventing image from reversion, gray-scale inversion and color contamination of a displayed image.

3. Claims 8, 14-15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA, Aminaka, Shimoshikiryo and Okazaki as applied to claim 1 above, and further in view of US 6,319,963 (Coates et al).

Claim 15, lacking limitation is such that the vertical aligned liquid crystal cell is disposed between the polarizer and a reflective plate.

However, Coates discloses (col.3, line 60 – col.4, line 28) that a reflective film prepared on a substrate is suitable for mass production, and using reflective polarizer (such as a reflective plate) in a liquid crystal display exhibits a high luminance and a considerable brightness gain up to large viewing angles.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a reflective plate as claimed in claim 15 for achieving high luminance and a considerable brightness up to large viewing angles.

Claims 8, 14, 17 and 19, lacking limitation is such that the tilt in the optical axis of the compensation film varies.

However, Aminaka discloses (col.7, line 14 – col.8, line 31; Fig.5-8) that the optical compensatory sheet in Fig.7 comprises optical anisotropic layer (73), and each of the molecules has one plane (Pa, Pb, Pc) which inclined with respect to the planes (71a, 71b, 71c), i.e., tilted in planes perpendicular to the liquid crystal cell surface, and the tilt angle ( $\theta_a$ ,  $\theta_b$ ,  $\theta_c$ ) varies .

Aminaka indicates (col.8, lines 24-31) that an optical compensatory sheet has a function of improving the viewing angle and the inclined angle changed (tilted) so that the optical compensatory sheet has a function of preventing an image reversion, gray-scale inversion and color contamination of a displayed image.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a compensation film combined with a vertical alignment liquid crystal cell so as to tilt the molecules as claimed in claims 8, 14, 17 and 19 for improving the viewing angle and preventing image from reversion, gray-scale inversion and color contamination of a displayed image.

4. Claims 6, 9 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA, Aminaka, Shimoshikiryoh and Okazaki as applied to claim 1, above, and further in view of US 6,115,095 (Suzuki et al).

Claim 6, lacking limitation is such that two positive birefringent layer having different thickness.

However, Suzuki discloses (col.12, line 21 – col.13, line 20; Fig.11) that using first compensation layer (25) having positive optical anisotropy and second compensation layer (26) having positive optical anisotropy, and the two compensation layer can be positioned adjacent to each other (such as one compensation layer disposed on the other compensation layer), and the compensation layer must have a base film to support the compensation layer.

Suzuki also discloses (col.8, lines 27-58) that a product ( $\Delta n F_2 \times d F_2$ ) of index anisotropy  $\Delta n F_2$  and a thickness  $d F_2$  of the second compensation layer (26) is equal to a quarter of the product ( $\Delta n \times d$ ) of index anisotropy  $\Delta n$  and a thickness  $d$  of the liquid crystal layer, and a product ( $\Delta n F_1 \times d F_1$ ) of index anisotropy  $\Delta n F_1$  and a thickness  $d F_1$  of the first compensation layer (25) is equal to about a half of the product ( $\Delta n \times d$ ) of index anisotropy  $\Delta n$  and a thickness  $d$  of the liquid crystal layer.

The same material for the compensation layer must have the same index anisotropy, such that the thickness  $d F_2$  of the second compensation layer must be different (such as thinner) from the thickness  $d F_1$  of the first compensation layer. So that Suzuki discloses using two compensation layers having different thickness.

Suzuki indicates (col.7, lines 57-59) that such compensation layers compensate the fluctuation in birefringence of the liquid crystal layer caused by variation of a viewing angle. Suzuki also indicates (col.8, lines 20-26) that using two compensation layers to prevent occurrence of light-loosing in oblique viewing angle. Suzuki also indicates



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(col.9, lines 35-52) that an increase or decrease of birefringence in a liquid crystal layer is compensated for by birefringence variation in a compensation layer when a viewing angle varies, and ensures enhanced optical compensation effect.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to use two compensation film having positive birefringent material and having different thickness as claimed in claim 6 for preventing the light-losing in oblique viewing angle and compensate the birefringence variation and enhancing the optical compensation effect.

Claim 9, AAPA disclosed (paragraph 0032) that a photo-alignment method was suggested by Schadt et al (Japanese Journal of Applied Physics, 1995), for example, a thin alignment layer is coated on the base film. An alignment layer can be used to control the pretilt of the liquid crystal molecules; and the function of the alignment layer is to control the pretilt of the liquid crystal molecules, and that is conventional as the alignment layer is needed to generate a tilt angle.

Claim 11, AAPA discloses (Fig.4A) that a compensation film (27) disposed on each side of the liquid crystal cell (14), and between the cell (14) and each of the polarizers (18 or 12).

Claim 12, AAPA discloses (Fig.4A) that two compensation films (27 and 30) disposed between the vertical aligned liquid crystal cell (14) and one of the polarizers (18 or 12).

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5. Claims 7, 13, 16, 18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA Aminaka, Shimoshikiryoh and Okazaki as applied to claim 1 above, and further in view of US 5,796,456 (Takatori et al).

Claims 7, 13, 16 and 18, lacking limitation is such that the tilt in the optic axis of the compensation film is uniform.

However, Takatori discloses (col.6, lines 15-62) that the optical compensation layer uniformly tilt against the axis normal to the surface of the optical compensation layer, so that the direction of each of their respective optical axes almost correspond to the direction of the liquid crystal when a voltage is applied to the liquid crystal, and such the optical compensation layer improves the view angle dependency.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange the tilt in the optic axis of the compensation film is uniform as claimed in claims 7 and 13 for improving the view angle dependency.

Claim 20, concerning the limitation of an electronic imaging device containing the component of claim 1 that is only given weight as intended use, because any display can be used for the electronic imaging device.

Claims 21-24, AAPA disclosed (paragraph 0032) that a photo-alignment method was suggested by Schadt et al (Japanese Journal of Applied Physics, 1995), and the desired alignment is obtained by photo-alignment, mechanical rubbed surface of alignment layer or other known method employ shear orientation and effect of an electric or magnetic field. That is common and known in the art and using photo-alignment such as using UV-irradiation as the shear force would have stronger

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alignment and the UV-irradiation would reduce the surface friction and protecting the display panel.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 and 15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Qi whose telephone number is (571) 272-2299. The examiner can normally be reached on M-T 8:00 am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Qi  
September 15, 2004



TARIFUR R. CHOWDHURY  
PRIMARY EXAMINER